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U.S. PTO

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

NEW UTILITY PATENT APPLICATION TRANSMITTAL

(only for new nonprovisional applications under
37 CFR 1.53(b))

Attorney Docket Number	20423-08166
First Named Inventor	Frédéric Perriot
Title	COUNTERING POLYMORPHIC MALICIOUS COMPUTER CODE THROUGH CODE OPTIMIZATION
Express Mail Label No.	EV 333133691 US

20423-08166 PTO
10/763673

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APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification Total Pages <input type="text" value="64"/></p> <p style="margin-left: 20px;">(preferred arrangement set forth below)</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Descriptive Title of the Invention</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Cross Reference(s) to Related Case(s)</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Statement Regarding Fed sponsored R & D</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Background of the Invention</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Brief Summary of the Invention</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Brief Description of the Drawing(s)</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Detailed Description</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Claim or Claims</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets <input type="text" value="10"/></p> <p>5. Combined Declaration and Power of Attorney a. <input checked="" type="checkbox"/> New Declaration Total Pages <input type="text" value="2"/></p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>9. <input type="checkbox"/> Power of Attorney or Authorization of Agent</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement</p> <p>11. <input type="checkbox"/> Preliminary Amendment</p> <p>12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)</p> <p>13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>14. <input checked="" type="checkbox"/> Return Postcard</p> <p>15. <input type="checkbox"/> _____</p> <p>16. <input type="checkbox"/> _____</p> <p>17. <input type="checkbox"/> _____</p>

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: _____/_____

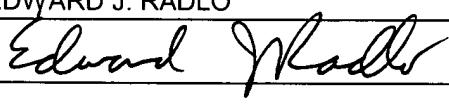
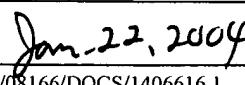
Prior application information: Examiner: _____ Group/Art Unit: _____

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

34415

Customer Number

Name (Print/Type)	EDWARD J. RADLO	Registration No. (Attorney/Agent)	26,793
Signature			Date 

20423-08166/DOCS/1406616.1

U.S. PTO
**FEE TRANSMITTAL
for FY 2004**

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **1194.00**

Complete if Known	
Application Number	not yet known
Filing Date	January 22, 2004
First Named Inventor	Frédéric Perriot
Examiner Name	not yet known
Art Unit	not yet known
Attorney Docket No.	20423-08166

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number **19-2555**

Deposit Account Name **Fenwick & West LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$) 770			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Extra Claims	Fee from below		Fee Paid
Total Claims 27	-20** = 7	x 18	= 126
Independent Claims 6	-3** = 3	x 86	= 258
Multiple Dependent			
Large Entity	Small Entity		
Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$) 384			
*or number previously paid, if greater; For Reissues, see above			
Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$) 40			

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Edward J. Radlo	Registration No. (Attorney/Agent)	26,793	Telephone (650) 335-7142
Signature	<i>Edward J. Radlo</i>		Date	<i>January 22, 2004</i>

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Frédéric Perriot
	Title	COUNTERING POLYMORPHIC MALICIOUS COMPUTER CODE THROUGH CODE OPTIMIZATION
	Atty Docket Number	20423-08166

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 22, 2004

Date

Edward J. Radio

Signature

Edward J. Radio, Reg. # 26,793

Typed or printed name, Reg. No.:

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**